United Nations CRPD/C/ITA/Q/1

Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Italy*

A. Purpose and general obligations (arts. 1-4)

1. Please provide a timetable for legal adoption and implementation of a revised concept of disability aligned with the Convention at both national and regional levels.

2. Please explain how the inclusion and participation of persons with disabilities, including children with disabilities, through their representative organizations are guaranteed in all decision-making processes that affect their lives.

B. Specific rights

Equality and non-discrimination (art. 5)

3. Please explain when a definition of reasonable accommodation will be adopted in the law, including the explicit recognition that the denial of reasonable accommodation beyond employment constitutes discrimination on the grounds of disability.

4. Please provide information and data on legislation and policies that address multiple discrimination, including the sanctions and remedies available.

Children with disabilities (art. 7)

5. Please provide nationwide data on the number of children with disabilities aged 0-5 years, disaggregated by age, disability and sex.

6. Are there a legal or policy framework and monitoring mechanisms for addressing child poverty that include children with disabilities?

Awareness-raising (art. 8)

7. Please explain the State party's understanding that "article 8 does not apply directly" as mentioned in paragraph 14 of the State party's report (CRPD/C/ITA/1).

* Adopted by the pre-sessional working group at its fifth session (21-24 March 2016).

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Accessibility (art. 9)

8. Please explain how complaints, monitoring and sanction systems operate with regard to accessibility standards, including physical accessibility of school buildings.

9. Please provide information on the availability of accessible communications across all public sectors, specifically live assistance and intermediaries, including guides, readers, professional sign language interpreters and augmentative and alternative communication.

Situations of risk and humanitarian emergencies (art. 11)

10. Please provide data on the number of migrants, refugees and asylum seekers who have arrived in Italy, disaggregated by age, sex and disability, and if reception centres are fully accessible.

Equal recognition before the law (art. 12)

11. Please provide a timetable for repealing laws that permit substituted decision-making, including the mechanism of "support administration" (*amministrazione di sostegno*), and indicate when supported decision-making provisions will be adopted and implemented.

Access to justice (art. 13)

12. What measures have been taken to combat harmful stereotyping of persons with disabilities in the judicial system?

13. What measures have been put in place to provide procedural accommodation in the justice system, including provision of professional sign language interpretation and information in easy-to-read and Braille formats?

Liberty and security of the person (art. 14)

14. Please provide a timetable for legal reform that prohibits detention on the grounds of disability, including persons who are deemed a danger to themselves or others, or who are "socially dangerous".

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

15. Please explain if current laws permit legal guardians to consent to medical experimentation or treatment on behalf of persons with disabilities.

16. Please indicate a time frame for including within the mandate of the national preventative mechanism visits to psychiatric institutions and other residential facilities for persons with disabilities, particularly persons with intellectual or psychosocial disabilities.

Freedom from exploitation, violence and abuse (art. 16)

17. What legal provisions and monitoring mechanisms are in place to detect, prevent and combat violence against women and children with disabilities, both within and outside the home?

Protecting the integrity of the person (art. 17)

18. Please provide information on the number of children who have had surgery for intersex variation without their consent, as well as other medical treatment without free and informed consent.

Living independently and being included in the community (art. 19)

19. How is the State party monitoring the effect of the budget cuts on quality of services for persons with disabilities and of the trend to reinstitutionalize persons with disabilities? Please provide data on the allocation of resources targeting independent living per region in the past five years, and the number of persons with disabilities leaving and entering residential institutions per region in the past five years.

Freedom of expression and opinion, and access to information (art. 21)

20. Please provide a timetable for officially recognizing sign language, increase its use for broadcasting purposes and financially assist deaf persons. Please also provide information on the availability of access to communications technology for all persons with disabilities.

Respect for home and the family (art. 23)

21. Please explain which steps the State party is taking to provide adequate measures and funds to support families of children with disabilities or adults who require a high degree of support.

22. What measures have been taken to combat harmful stereotyping in the judicial system with regard to equal rights in all aspects of marriage and family life?

Education (art. 24)

23. Please explain what plans are in place or envisaged to adopt indicators to monitor the quality of education and inclusion of students with disabilities in mainstream schools and classes.

24. Please provide information on whether all teacher education, including pre-service and in-service training, obliges learning about inclusive education in compulsory core curricula. Please explain how new laws will provide specific roles for and improve the skills of all teachers, especially support teachers.

25. Please provide data on the number of deaf children whose requests for sign language interpreters in school have been met.

Health (art. 25)

26. Please provide a timetable for adopting and implementing legal reforms to prevent medical treatment being given without the free and informed consent of the person concerned. Include current data, disaggregated by age, sex and disability, on treatment to which consent has been given by a third party (guardian or parent, for example) and not the individuals themselves, including sterilization, over the past five years.

27. Please provide a timeline for establishing and adopting new minimum standards of health care, including early identification and intervention for children with disabilities.

Work and employment (art. 27)

28. What measures are being taken to address high levels of unemployment among persons with disabilities and to promote their inclusion in the open labour market, in particular women with disabilities?

Adequate standard of living and social protection (art. 28)

29. Please explain how social protection mechanisms, such as the social card and associated service provisions, in the regions address the additional costs persons with disabilities incur, and the reason why there is regional variation.

30. Please provide a timeline for adopting and implementing minimum standards of social assistance.

Participation in political and public life (art. 29)

31. What actions are planned to facilitate the exercise of voting rights by all persons with disabilities, including persons with intellectual disabilities and psychosocial disabilities?

C. Specific obligations

Statistics and data collection (art. 31)

32. Please provide information on plans to improve the collection and dissemination of national data, disaggregated by disability, sex and age, on the situation of all persons with disabilities, including in surveys and a census of the general population.

International cooperation (art. 32)

33. What measures are being taken to ensure that disability rights, as recognized in the Convention, are mainstreamed in national plans to implement and monitor the 2030 Agenda for Sustainable Development and the Sustainable Development Goals? And what measures are being adopted to ensure that organizations of persons with disabilities are meaningfully involved in these processes?

National implementation and monitoring (art. 33)

34. Please provide a timetable for establishing, implementing and providing adequate funding for an independent monitoring mechanism that adheres to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).